

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FLUIDIGM CORPORATION,

No. C 12-05712 RS

Plaintiff,

v.

**CASE MANAGEMENT  
SCHEDULING ORDER**

NANOSTRING TECHNOLOGIES, INC.,

Defendants.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on February 7, 2013. After considering the Joint Case Management Statement submitted by the parties and consulting with the attorneys of record for the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

1. ALTERNATIVE DISPUTE RESOLUTION. Parties have agreed to engage in Private Mediation.

2. INITIAL DISCLOSURES. Initial disclosures shall be exchanged on or before February 15, 2013.

3. DISCOVERY. On or before September 13, 2013 all non-expert discovery shall be completed by the parties. Discovery shall be limited as follows: (a) ten (10) non-expert depositions per party; (b) twenty-five (25) interrogatories per party, including all discrete

subparts; (c) a reasonable number of requests for production of documents or for inspection per party; and (d) thirty (30) requests for admission per party, with responses due thirty (30) days after service.

4. DISCOVERY DISPUTES. Discovery disputes will be referred to a Magistrate Judge. After the parties have met and conferred, the parties shall prepare a joint letter of not more than 8 pages explaining the dispute. Up to 12 pages of attachments may be added. The joint letter must be electronically filed under the Civil Events category of "Motions and Related Filings > Motions--General > Discovery Letter Brief." The Magistrate Judge to whom the matter is assigned will advise the parties of how that Judge intends to proceed. The Magistrate Judge may issue a ruling, order more formal briefing, or set a telephone conference or a hearing. After a Magistrate Judge has been assigned, all further discovery matters shall be filed pursuant to that Judge's procedures.

5. EXPERT WITNESSES. The disclosure and discovery of expert witnesses and opinions shall proceed as follows:

A. On or before October 11, 2013, parties will make initial expert disclosures in accordance with Federal Rule of Civil Procedure 26(a)(2).

B. On or before November 8, 2013, parties will designate their supplemental and rebuttal experts in accordance with Federal Rule of Civil Procedure 26(a)(2).

C. On or before December 13, 2013, all discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) shall be completed.

6. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case Management Conference shall be held on **September 19, 2013 at 10:00 a.m.** in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The parties shall file a Joint Case Management Statement at least one week prior to the Conference.

7. PRETRIAL MOTIONS. All pretrial motions must be filed and served pursuant to Civil Local Rule 7. All pretrial motions shall be heard no later than **January 23, 2014**.

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1 8. PRETRIAL CONFERENCE. The final pretrial conference will be held on  
2 **March 13, 2014 at 10:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450  
3 Golden Gate Avenue, San Francisco, California. Each party or lead counsel who will try the  
4 case shall attend personally.

5 9. TRIAL DATE. Trial shall commence on **March 24, 2014 at 9:00 a.m.**, in  
6 Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco,  
7 California.

8 IT IS SO ORDERED.

9  
10 DATED: 2/7/13



RICHARD SEEBORG  
United States District Judge

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